

Application No. 10/509,191
Attorney Docket No. 2002B039A

REMARKS

Claims 1-7, 9-10, and 12 are in the case.

Applicants would first like to express appreciation to the Examiner for the indication of allowability of Claims 1-4, 6, 7, 9 and 10.

Applicants would also like to thank the Examiner for the courtesies extended to their representative during the discussion of January 10, 2006. During the discussion, amendments to overcome the various rejections were presented. More particularly, Claims 5, 8, and 12 were discussed. New Claims 13-20 depended from Claim 12 were presented. However, upon reflection, in order to minimize opportunity for new issues, only Claim 12 is presented with this amendment. Remarks pertaining to Claim 12 appear further below.

Claim 5 was rejected under 35 USC §112, second paragraph, for lack of antecedent basis for the phrase "acid-depleted stream". In the amendments set forth in the Listing of Claims, the dependency of Claim 5 has been changed from Claim 1 to Claim 3. Claim 3 sets forth the phrase "acid-depleted stream". Accordingly, it is believed there is now proper support for Claim 5.

Claim 8 has been cancelled.

For these reasons, it is respectfully requested that the rejections under 35 USC §112, second paragraph, be withdrawn.

Claim 12 was rejected under 35 USC §103(a) as unpatentable over Summerlin (US 5,237,105). Claim 12 has been amended to distinctly point out that what is recycled is cobalt *acetate and/or formate*, with the cobalt salt (the acetate and/or formate) directly transferred back into step (a), a step occurring in a single vessel, with two phases present, one phase comprising cobalt acetate/formate and the second phase comprising the oil-soluble cobalt species.

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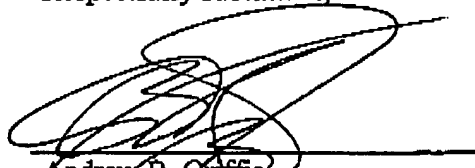
In contrast, Summerlin concerns recycling the cobalt obtained from the stripping gas, which is cobalt carbonyl, not cobalt acetate. One of ordinary skill in the art would recognize that cobalt acetate is not a volatile cobalt compound and thus would not be taken overhead in the gas stream.

Thus, it is respectfully urged that Summerlin cannot fairly suggest the present invention, and withdrawal of the rejection under §103 is requested.

There being no further issues, Applicants respectfully urge that the present application is in condition for allowance and early indication of such is earnestly solicited.

Respectfully submitted,

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Date


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